

FARMINGTON CITY PLANNING COMMISSION

Thursday, February 9, 2006

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members Paul Barker, Andrew Hiller, Kevin Poff, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 6:30 P.M. and reviewed the following items:

Agenda Item #3 - Public Hearing: Ken and Jackie Hardy - Applicants Are Requesting Conditional Use and Site Plan Approval to Establish a Contractor's Yard and to Allow a Single Family Dwelling to Remain on Site (i.e. Accessory Living Quarters) Located at Approximately 325 West Glovers Lane in an LM&B Zone (C-26-06)

Chairman Talbot reviewed the applicant's request. He felt the industrial area would be an appropriate location to store the heavy equipment.

David Petersen described the location of the right-of-way that Mr. Hardy dedicated to the City. The applicant needs a conditional use permit to have an accessory building. He suggested that the motion be subject to the City's review of the elevations for the steel building.

(Agenda Item #4) Public Hearing: Michael and Karen Wagstaff - Applicants are Requesting Conditional Use and Site Plan Approval for an Attached Garage at 224 East 300 North In An OTR ZONE (C-1-06)

David Petersen explained that the applicant needs a conditional use permit in order to construct a garage on the rear portion of the house. The Historic Preservation Commission suggested that the applicant flip the plan. City Staff recommended that the plan remain unchanged so the applicants do not have to diminish their yard or have to lengthen the driveway. He agreed with the Historic Preservation Commission's suggestion that the applicant should not attempt to match the existing exterior to the new exterior. The applicant submitted two different elevations. He suggested that the Planning Commission confirm which elevation the applicant plans to use.

Agenda Item #5 - Public Hearing: Davis County - Applicant is Requesting Conditional Use and Site Plan Approval to Install RV Hook-Up Facilities to Accommodate Approximately 30 Proposed R.V. Sites at the Fair Park Located at 1100 West and Clark Lane in an A Zone (C-14-05)

David Petersen said the applicant's proposal has been revised since the last time he approached the Planning Commission. His new proposal only includes 30 stalls, as opposed to

the 80 stalls he initially proposed. The stalls will be less conspicuous than he originally proposed. He reviewed the City's ordinance that pertains to R.V. parks.

The Planning Commission discussed the items that should be discussed with the applicant. The items included noise enforcement, the use of alcohol, the muddy conditions of the parking areas, and collection of fees.

The meeting adjourned at 7:00 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members Paul Barker, Andrew Hiller, Kevin Poff, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 7:00 P.M. **Rick Wyss** offered the invocation.

Jim Talbot said Keith Klundt submitted his resignation from the Planning Commission. The City is in the process of finding a new Commissioner.

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes of the January 12, 2006, Planning Commission Meeting. **Cory Ritz** seconded the motion with changes as noted. The Commission voted unanimously in favor.

Kevin Poff moved that the Planning Commission approve the minutes of the January 26, 2006, Planning Commission Meeting. **Paul Barker** seconded the motion. The Commission voted unanimously in favor. **Cory Ritz** abstained due to his absence at the meeting.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council meeting which was held on February 1, 2006. He covered the following items:

- Mayor Harbertson presented service awards to police department employees.
- The City Council granted approval for the Development Agreement, the Final PUD Master Plan, and final plat for Phase 1A of the Rice Valley Estates Planned Unit Development (PUD).
- The City Council discussed the access easement language for Phase II of the

Hidden Meadow Subdivision. The applicant and City Council came to an agreement regarding the easement language.

PUBLIC HEARING: KEN AND JACKIE HARDY - APPLICANTS ARE REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH A CONTRACTOR'S YARD AND TO ALLOW A SINGLE FAMILY DWELLING TO REMAIN ON SITE (I.E. ACCESSORY LIVING QUARTERS) LOCATED AT APPROXIMATELY 325 WEST GLOVERS LANE IN AN LM&B ZONE (C-26-06) (Agenda Item #3)

Background Information

On December 10, 2003, the zoning on 2.7 acres of property owned by Mr. Hardy was changed from AE to LM&B. At the same time, the City comprehensive General Plan designation was changed from Architectural Preservation Very Low Density and Rural Residential Density to Light Manufacturing. The condition was placed on the changes that Mr. Hardy would have to deed a 47' strip of land in the stem of the flag lot coming off of Glover Lane and across the east side of his property to the City for an access road to be developed in the future by either the City, a developer that created the demand, or Mr. Hardy if he expanded his operation enough to require the access road development. Development of the road was not a condition for him to locate his contractor yard or accessory living quarters on his property.

Mr. Hardy would not like to build a 3200 square foot steel shop building for his contractor business and base his vehicles out of the site, something which has been done for some period. Staff recommends a limit of five large construction vehicles be allowed with conditional use permit. More than this could constitute enough of an expansion of the business to warrant the development of the road to City standards.

It is also recommended that any current or future signage associated with the building receive an approved sign permit from the City.

Because this home is being approved as accessory living quarters, they must be on the same parcel as the building to which they are accessory. Currently, the land is divided into two parcels. The two parcels should be combined into one through recording of a warranty deed.

END OF PACKET MATERIAL.

David Petersen said the property was rezoned in December 2003, but the rezone did not take effect until the right-of-way was dedicated. In order for the applicant to store his excavation equipment and to have his residence on the same property, a conditional use permit is required. City Staff recommends approving the applicant's request so long as he combines the two parcels into one with one tax identification number, and so long as he does not store more than five

construction vehicles on the property.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Ken Hardy (325 West Glover Lane) said he is not willing to combine the parcels into one parcel. He does not intend to store more than five trucks at a time, but he reserves the right to do so.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

Rick Wyss asked why it is necessary for the applicant to combine the parcels.

David Petersen explained that the subdivision was done by the previous property owner without the approval of the City or the County. It was an illegal subdivision that the City would like to rectify. The parcels would also need to be combined in order for the City to consider the applicant's residence as an accessory building to the business.

Ken Hardy asked if it would be possible to have two separate parcels and to rezone the property with the residence AE.

David Petersen said Mr. Hardy's proposal was possible. He suggested that the applicant submit different applications for the rezone and subdivision. He suggested that the Planning Commission table consideration of the conditional use permit. The applicant's new requests could then be considered concurrently in the same meeting.

Chairman Talbot suggested that the applicant and City Staff discuss the amount of vehicles that will be allowed on the property.

Ken Hardy said when he agreed to dedicate property to the City, he was told that he would not be required to obtain a conditional use permit. He does not plan to have more than five trucks but does not want to be limited by the City.

David Petersen said it was the City's intent to prevent the property from being used for such uses as a truck yard without approval. He said the amount of trucks that would be allowed could be discussed.

Ken Hardy said he would be willing to combine the parcels so long as a limit was not set as to how many trucks would be allowed on the property.

Andrew Hiller asked the applicant if he would agree to limiting the amount of trucks if the number allowable was higher than five.

Ken Hardy said he would feel comfortable if the City were to allow ten trucks on the property, although he never plans to have that many.

Motion

Rick Wyss moved that the Planning Commission approve the conditional use permit to allow the location of a contractor yard and accessory living quarters in the LM&B zone, and approve the site plan for construction of a 3200 square foot steel building subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The contractor yard is limited to the storage of ten large construction vehicles.
2. A sign permit is obtained for any signage associated with the business.
3. The two parcels (tax ID numbers 080800051 and 080800051 and 080800057) must be combined into one parcel by warranty deed.

Ken Poff seconded the motion, which passed by unanimous vote.

Findings

- The use is appropriate for the area.
- The residence has existed for a number of years.
- Creating one tax identification number will make the property comply with City standards.
- The right-of-way will benefit the City by providing access to the area.

PUBLIC HEARING: MICHAEL AND KAREN WAGSTAFF - APPLICANTS ARE REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL FOR AN ATTACHED GARAGE AT 224 EAST 300 NORTH IN AN OTR ZONE (C-1-06) (Agenda Item #4)

Background Information

A historic dwelling now exists on site, which is a corner lot. The dwelling consists of a single story rock structure, which was constructed in the 1800's, and a blue two story wood frame section, which was constructed near the turn of the twentieth century (according to the

applicant). The applicant is proposing to construct an alteration to the building by removing a portion of the structure and thereby increasing the size of the dwelling. Section 11-2-020 of the Zoning Ordinance defines an "alteration" as "Any change in the construction of, or addition to, a building which would permit an increase in capacity, or change of use". An alteration may be an addition but an addition is not necessarily an alteration. The Wagstaff proposal is not an addition because they are not keeping the original dwelling intact and constructing a new building wing or appendage thereto, but rather they are modifying the original structure itself, which has been in existence for some 106 years (long before the Zoning Ordinance was enacted). Hence, Section 11-17-070 (3)(c) of the OTR zone text does not apply:

The height of a new addition shall be equal to or less than that of the original building. Notwithstanding this, the back side of a building may be taller than the established norm if the change in scale will not be perceived from public ways.

The Historic Preservation Commission has reviewed the Wagstaff proposal, and provided positive comments, except the Commission suggested flipping the plans. However, this may take the turn into the garage from the driveway difficult to achieve. Please note that the Historic Preservation Commission thought they were reviewing a clapboard country farm house look instead of the arts and crafts style now proposed by the applicant. Additional recommendations from the Commission may be presented at the meeting.

The new building fronts 200 East and the applicants are providing a side loaded garage with access to 300 North. The location of the garage does not detract from the front appearance of the home and the attached garage is setback (or recessed) from the front setback of the home. Nevertheless, because the distance of the garage setback is less than half the depth of the main building, a conditional use permit is required as set forth in Section 11-17-050 (4) (b) of the Zoning Ordinance.

END OF PACKET MATERIAL.

David Petersen showed a Vicinity Map and Site Plan for the property. He reviewed the applicant's request and pointed out where the garage would be located. Since the garage setback is less than half the depth of the main building, a conditional use permit is required. He showed an elevation of the home. The Historic Preservation Commission recommended that the plan be flipped from north to south to position the garage on the south side of the home. City Staff favors the applicant's proposal since it will not diminish the rear yard and will not require as much asphalt or concrete for the driveway. He reviewed the conditions listed on the Suggested Motion and said the application qualifies for an administrative variance. City Staff recommends that the applicant use the hardy plank exterior (or some other acceptable exterior) since it would be difficult to match the existing exterior with new material.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Mike Wagstaff (224 East 300 North) said he was not opposed to the conditions of the Suggested Motion. He said the proposed side setback distance on the south property line would actually be a benefit to him. He said he is opposed to flipping the garage plan since it would effect his yard and would increase the cost of driveway materials. He would prefer to use rock on the exterior but is willing to use an alternative material if it is required by the City.

Todd Adams (242 North 200 East) said the applicant's proposal will be an improvement to the area.

Scott Ezola (164 East 300 North) said the addition will improve the area. He thinks the applicant should be able to use rock if it is what he prefers. He suggested that the OTR text be reviewed since certain items are restrictive.

Richard Mayfield (277 North 200 East) said he favors the rock exterior.

Gayle Mayfield (277 North 200 East) said she is in favor of the proposed improvements.

Jerry Preston (347 East 100 North) said he supports the applicant and his request.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

Kevin Poff said the alteration would be appropriate for the area. The proposed setback will not detract from the area since there are not a lot of homes near the property. He suggested eliminating condition #4 of the Suggested Motion which would prevent the applicant from being able to use rock wainscot and rock facade for the garage.

Andrew Hiller also thought condition #4 should be eliminated. He thought the two structures would blend better if the same material is used.

Cory Ritz felt condition #4 should be eliminated. He suggested placing the rock on the porch from the floor to the ceiling so it would be more visible. He suggested that the words "If necessary..." be added to condition #3 in case the 10 foot setback is not achievable. He asked the applicant if he planned to use the roof from elevation #1 or elevation #2.

Mike Wagstaff said he plans to use the first elevation.

Paul Barker agreed that condition #4 should be eliminated, but said it would be difficult to match the rock on the more eastern of the two buildings.

Jim Talbot said the Planning Commission received a letter from Alyssa Revell of the Historic Preservation Commission. The overall letter was positive but she did express concern as to the placement of the garage.

Motion

Cory Ritz moved that the Planning Commission grant conditional use and site plan approval as proposed, subject to all applicable Farmington City Ordinances and development standards and the following:

1. Applicant shall upgrade the plans to show setbacks from the property line/right-of-way line (not the curb and gutter). The setback to the street must comply with City standards;
2. The address for the home shall be changed to a 200 East Street address.
3. If necessary, the applicant must receive an administrative variance for the side setback distance on the south property line from 10 feet to 8 feet as proposed. In evaluation of such a variance the staff may wish to consider the irregular shape of the parcel and the location of the existing dwelling on the lot.

Kevin Poff seconded the motion, which passed by unanimous vote.

Findings

- The alteration is appropriate for the neighborhood.
- The neighbors are supportive of the improvement.
- The new elevation will blend with the existing home.
- The variances will conform with the OTR zone.

**PUBLIC HEARING: DAVIS COUNTY - APPLICANT IS REQUESTING
CONDITIONAL USE AND SITE PLAN APPROVAL TO INSTALL RV HOOK-UP
FACILITIES TO ACCOMMODATE APPROXIMATELY 30 PROPOSED R.V. SITES**

AT THE FAIR PARK LOCATED AT 1100 WEST AND CLARK LANE IN AN A ZONE (C-14-05) (Agenda Item #5)

Background Information

The Planning Commission reviewed and tabled this request on August 25, 2005 to allow time to resolve the following issues:

1. The site for the proposed R.V. pads adjacent to Clark Lane and 1100 West is not an appropriate location for such facilities unless the applicant can provide some sort of buffer or screen to mitigate the appearance of the R.V.s at this gateway area of the City.
2. Davis County must demonstrate that the applicant can meet the requirements for the trailer and campground areas set forth in Chapter 36 of the Zoning Ordinance to the satisfaction of the City and thereafter prepare plans in accordance with those standards.
3. The Fairgrounds Management must also create conditions to govern the RV park use. They must also contact and work closely with City Staff to provide a list of conditions whereby the Planning Commission may consider conditional use/site plan approval for the County's request.

The applicant reduced the total number of R.V. sites from 84 to 30 and relocated them consistent with comments received by the Planning Commission at the August 25th meeting.

END OF PACKET MATERIAL.

David Petersen displayed the Site Plan that the Planning Commission reviewed at a previous meeting. The applicant has since reconfigured the Plan by reducing the number of stalls and relocating the stalls to a less conspicuous area. City staff recommended approving the application. He reviewed the conditions of the Suggested Motion.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Dave Hansen (Davis County representative) said the Planning Commission opposed the initial Site Plan due to the high visibility. The new Plan has resolved the visibility issue. They will not allow long-term use of the facility. The R.V. park will fill a need and will be a nice addition to the Fair Park and the community.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

David Petersen gave **Mr. Hansen** a copy of the Staff Report and allowed him time to review the conditions of the Suggested Motion.

Dave Hansen said their design included a 12' separation between each pedestal to allow for trailer slideouts and ramps. He said he was willing to increase the separation to accommodate the City's ordinance. He referred to the condition relating to a curfew. He said the R.V. park visitors would be required to adhere to Farmington City's noise ordinance.

Paul Barker suggested that a sign be posted stating that the noise ordinance will be enforced.

Cory Ritz asked if alcohol would be permitted at the R.V. park.

Dave Hansen said the Fair Park does not have a liquor license so they will not sell alcohol. They have the right to ban alcohol in the buildings, but it would be difficult to ban it from the R.V. park unless they were willing to search the cars/trailers.

Cory Ritz asked how the R.V. park fee would be collected.

Dave Hansen said most of the users would reserve an R.V. stall when they made their show reservations. Otherwise, a County worker will collect fees until midnight on the nights there are shows.

Cory Ritz suggested that the County improve the muddy parking conditions by adding road base.

Dave Hansen said he does not have the ability to control the funding. The suggestion could be forwarded to the County Commissioners.

Chairman Talbot said he spoke with individuals who use the Fair Park. They suggested that the Fair Park have higher standards, like that of the South Jordan Fair Park.

Dave Hansen explained why the parking areas had flooded in the past. He said the drainage system has improved since Public Works installed a drainage system for the entire justice complex. He said CRS Engineering proposed that the County and City share a drainage system which would benefit both entities.

In response to a question, **Dave Hansen** said the County could post signage stating that users of the R.V. Park would not be allowed to stay for longer than 7 days.

Motion

Kevin Poff moved that the Planning Commission approve the conditional use application and site plan as requested subject to the following:

1. Davis County must meet the requirements for trailer and campground areas set forth in Chapter 36 of the Zoning Ordinance to the satisfaction of the City including but not limited to:
 - a. Trailers shall be separated from each other and from other structures by at least ten (10) feet. Any accessory structure such as attached awnings, carports, or individual storage facilities shall be, for purposes of this separation requirement, be considered to be part of the trailer.
 - b. The density shall not exceed twenty-five (25) trailer spaces per acre of gross site area except that the health authority may, under special circumstances, permit a higher density provided all other environmental open space, and access requirements of this Ordinance and regulations issued hereunder are adhered to.
2. RV spaces or pedestals shall be rented by the night with a one week maximum continuous stay.
3. The County shall meet standards set forth in the Farmington City Noise Ordinance with the appropriate signage to that effect.
4. Unregistered vehicles or open storage as set forth in the Zoning Ordinance shall be prohibited.

Rick Wyss seconded the motion, which passed by unanimous vote.

Motion

Cory Ritz moved that the Planning Commission recommend that the County, at their earliest convenience, improve the parking and access areas to the north and to the east of the R.V. stalls with road base or gravel to improve the drainage and parking conditions, as well as to enhance the facility. **Paul Barker** seconded the motion, which passed by unanimous vote.

Chairman Talbot asked that the County place a high priority on protecting the neighbors near the Fair Park by posting signage relating to the items that were discussed.

Findings

- The County will be able to provide amenities that will rectify a situation that currently exists.
- The R.V. park will enhance the facility, as well as the community, and will help enforce the City's noise ordinance.

MISCELLANEOUS

Planning Commission Seminars

David Petersen informed the Commissioners of the Land Use Seminar that will be presented by Jody Burnett. The City strongly encourages the Planning Commission members to attend. He also informed them that the City will pay for them to attend a Certified Citizen Planner workshop, if they so choose.

[**Rick Wyss** was excused at 8:37 p.m.]

Bus Compound

Cory Ritz asked that the School District be reminded that the buses are restricted from using the west Farmington roads unless it is part of their regular route. A certain bus driver told him that they were only instructed to avoid 650 West.

Chairman Talbot suggested that the City post signage that would detract from the area being used as a bus route.

Cory Ritz suggested that the City also invest in signage that would inform motorists exiting from Park Lane which roads are for residential traffic.

Vice-Chair Election

Due to the resignation of Planning Commissioner **Keith Klundt**, the Planning Commission held an election for the office of Vice-Chair.

Cory Ritz nominated **Kevin Poff**. **Chairman Talbot** seconded the nomination, which passed by unanimous vote.

Jim Talbot nominated **Paul Barker** to serve on the Board of Adjustment, which would relinquish **Kevin Poff** from the position. **Cory Ritz** seconded the nomination, which passed by unanimous vote.

ADJOURNMENT

Cory Ritz moved that the Planning Commission adjourn at 8:52 P.M.

Jim Talbot, Chairman
Farmington City Planning Commission